

REMARKS

By this amendment, claims 20 and 25-26 are amended, and claim 27 is cancelled. Claims 5-6, 19 and 21-24 remain in the application. Thus, claims 5-6 and 19-26 are now active in the application. Reexamination and reconsideration of the application are respectfully requested.

The Applicants thank the Examiner for considering the references listed on the Form PTO-1449 submitted on August 13, 2003. The Applicants note, however, that the Submission of Corrected Form PTO-1449 filed on September 24, 2003 indicated that Document AB listed on the August 13, 2003 Form PTO-1449 was incorrectly identified as U.S. Patent No. 5,664,221 to Li et al. The corrected Form PTO-1449 submitted on September 24, 2003 correctly identified document AB as **U.S. Patent No. 5,644,221** instead of U.S. Patent No. 5,664,221. A copy of the August 13, 2003 Form PTO-1449 with the correction of document AB made thereon in red was submitted with the Submission and the corrected Form PTO-1449 on September 24, 2003. For the Examiner's convenience, a copy of the Submission, the corrected Form PTO-1449, and the marked-up version of the August 13, 2003 Form PTO-1449 submitted on September 24, 2003 is submitted herewith. Accordingly, the Applicants request the Examiner to initial and return to the Applicants a copy of the corrected Form PTO-1449 to indicate consideration of document AB, which is correctly identified as U.S. Patent No. 5,644,221 to Li et al.

In item 1 on page 2 of the Office Action, claim 20 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. In particular, claim 20 was indicated to be incomplete since claim 20 did not include a step which positively recited how the frequency of the measured signal is determined. Further, the Examiner indicated that it is unclear whether the "signal" recited in line 3 of claim 20 is the measured signal or a different signal. Claim 20 has been amended to overcome its rejection under 35 U.S.C. § 112, second paragraph. In particular, claim 20, as amended, recites "a method for transmitting a signal for use in a frequency measuring device". Accordingly, by amending claim 20 to recite "a method for transmitting a signal for use in a frequency measuring device", the Applicants respectfully submit that claim 20 does not require a positive recitation of determining the frequency of the signal in order to be complete.

Further, claim 20 has been amended to recite that the method comprises “supplying the signal from a plurality of gate circuits” and “receiving the signal from each of the plurality of gate circuits by a latch circuit”. Accordingly, claim 20, as amended, clearly identifies that the signal which is supplied from the plurality of gate circuits is the signal which is transmitted for use in the frequency measuring device. Therefore, the Applicants respectfully submit that claim 20, as amended, is clearly definite and particularly points out and distinctly claims the subject matter which the Applicants regard as the invention.

The Applicants thank the Examiner for kindly indicating, in item 4 on page 2 of the Office Action, that claims 5-6, 19 and 21-26 are allowable. Minor editorial revisions were made to claims 25 and 26 so as to improve their U.S. form. The Applicants respectfully submit that claims 25 and 26, as amended are still in condition for allowance.

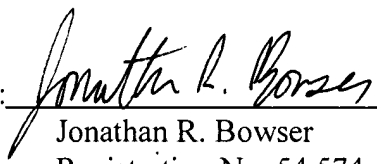
Therefore, by amending claim 20 to overcome its rejection under 35 U.S.C. § 112, second paragraph, the Applicants respectfully submit that claims 5-6 and 19-26 are now clearly in condition for allowance.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

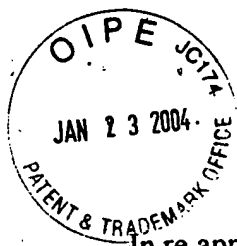
If, after reviewing this amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Mitsuo TADA et al.

By: 
Jonathan R. Bowser
Registration No. 54,574
Attorney for Applicants

JRB/nk
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
January 23, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 7118**
Mitsuo TADA et al. : **Docket No. 2001_1568A**
Serial No. 09/982,025 : **Group Art Unit 2862**
Filed October 19, 2001 : **Examiner Walter E. Snow**

**FREQUENCY MEASURING DEVICE,
POLISHING DEVICE USING THE SAME
AND EDDY CURRENT SENSOR**

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

SUBMISSION OF CORRECTED FORM PTO-1449

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a corrected PTO Form-1449 to correctly identify Document AB listed on the PTO Form-1449 filed on August 13, 2003 as **U.S. Patent No. 5,644,221** to Li et al. Document AB listed on the August 13, 2003 PTO Form-1449 was incorrectly listed as U.S. Patent No. 5,664,221 to Li et al. A copy of U.S. Patent No. 5,644,221 was submitted with the Information Disclosure Statement and Form PTO-1449 filed on August 13, 2003. Also submitted herewith is a copy of the August 13, 2003 PTO-Form 1449 with the correction of Document AB made thereon in red.

Respectfully submitted,

Mitsuo TADA et al.

By: _____

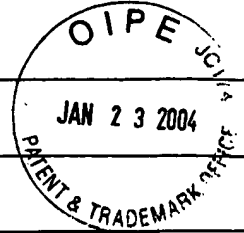
Jonathan R. Bowser
Registration No. 54,574
Attorney for Applicants

JRB(NEP)/edg
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
September 24, 2003

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: September 24, 2003

ATTY DOCKET N .
2001_1568ASERIAL N .
09/982,025APPLICANT
Mitsuo TADA et al.FILING DATE
October 19, 2001GROUP
2862

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,559,428	9-1996	Li et al.			
	AB	5,644,221	7-1997	Li et al.			
	AC	5,659,492	8-1997	Li et al.			
	AD	5,660,672	8-1997	Li et al.			
	AE	5,663,637	9-1997	Li et al.			
	AF	5,770,948	9-1998	Li et al.			
	AG	6,563,308	5-2003	Nagano et al.			
	AH	2002-0055192	5-2002	Redeker et al.			
	AI						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AJ							
	AK							
	AL							
	AM							
	AN							

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	
	AP	
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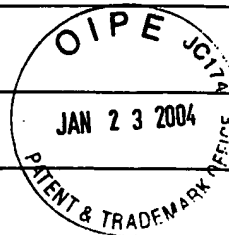
EXAMINER

DATE CONSIDERED

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EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.